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June 28, 2019

Via ECF and By Hand

The Honorable Martin Glenn
United States Bankruptcy Judge
United States Bankruptcy Court
Southern District of New York
One Bowling Green
New York, NY 10004

Re: Lee Alexander Bressler ("Debtor")
Case no. 13-13098 (MG)

Dear Judge Glenn:

As the Court is aware, we are co-counsel to creditors Carbon Investment Partners, LLC and Carbon Master Fund, L.P. (together, "Carbon") in the captioned Chapter 7 case.

At the hearing held on Wednesday, June 26, 2019 on Carbon's pending Rule 4004(b)(2) motion, the Court requested that we produce copies of the forensic reports that were submitted in the underlying arbitration between the Debtor and Carbon in connection with the issue of the erasure of the Debtor's laptop computer. Please see attached as (i) Exhibit A - the report submitted by Carbon, (ii) Exhibit B - the response submitted by the Debtor, and (iii) Exhibit C - the Arbitrator's ruling.

In addition, we write to clarify my response to one of the issues raised by the Court at the hearing. The Court had inquired as to when Carbon had learned of the existence of the personal financial statement referenced in the third cause of action of the draft objection to discharge complaint Carbon had attached to its Rule 4004(b)(2) motion. In response, I informed the Court that while I did not specifically recall, my recollection was that the information was obtained by Carbon prior to January 15, 2019.

Carbon's litigation counsel has subsequently advised me that my recollection and representation to the Court was not completely accurate. To that end, we enclose a copy of a supplemental declaration dated and filed today of J. Noah Hagey, Esq. on the subject. We respectfully request that the Court allow receipt of this supplemental declaration into the record of the Rule 4004(b)(2) motion and consider its contents as the Court formulates its decision and order on the motion.

We are available to address any issues the Court may have with the foregoing. Thank you for your consideration.

Respectfully submitted,

/s/ Tracy L. Klestadt

Tracy L. Klestadt

TLK/ms

Encl.

Cc: Via E-mail
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